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November 6, 2000

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VIA COURIER

Magalie Roman Salas, Esq.
Secretary
Federal Communications Commission
The Portals Complex
445 12th Street, S.W.
Washington, D.C. 20554

Stop Code 1800D5
Attn: Allocations Branch

Re: WTKV(FM), Oswego, New York
Comments of Galaxy Communications, L.P.
MM Docket No. 00-169; RM-9953

Dear Ms. Salas:

On behalf of Galaxy Communications, L.P. ("*Galaxy*"), licensee of radio station WTKV(FM), Oswego, New York, we hereby submit an original and four (4) copies of Comments supporting the amendment of the FM Table of Allotments to reallocate Channel 288A from Oswego to Granby, New York and to modify WTKV(FM)'s license to specify Granby as its community of license, as proposed by the FCC in its Notice of Proposed Rule Making released September 15, 2000. These comments are timely filed.

LEVENTHAL, SENTER & LERMAN P.L.L.C.

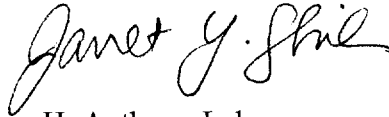
Magalie Roman Salas, Esq.

November 6, 2000

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If any questions should arise concerning this filing, please contact the undersigned counsel.

Respectfully submitted,

A handwritten signature in cursive script, reading "Janet Y. Shih".

H. Anthony Lehv

Janet Y. Shih

Enclosure

cc: Ed Levine (PUBLIC INSPECTION FILE)

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MM Docket No. 00-169
Table of Allotments,)	RM-9953
FM Broadcast Stations.)	
(Oswego and Granby, New York))	

To: Chief, Allocations Branch

COMMENTS OF GALAXY COMMUNICATIONS, L.P.

Galaxy Communications, L.P. ("Galaxy"), licensee of radio station WTKV(FM), Oswego, New York, by its attorneys, hereby submits these comments in response to the Commission's *Notice of Proposed Rule Making* in the above-captioned proceeding, DA 00-2116 (released September 15, 2000) ("*NPRM*"), which was issued by the Allocations Branch ("*Branch*") pursuant to the *Petition for Rule Making* (the "*Petition*") filed by Galaxy on July 28, 2000. By the *Petition*, Galaxy seeks to amend Section 73.202(b) of the FM Table of Allotments, to reallocate Channel 288A from Oswego to Granby, New York and to modify WTKV's license to specify Granby as its community of license.¹ Galaxy will file an application for Channel 288A at Granby if the channel is allocated to that community.

The *NPRM* explicitly finds that Granby is a community entitled to an FM allotment pursuant to Section 307(b) of the Communications Act of 1934, as amended. See *NPRM* at ¶ 2.

¹ Galaxy incorporates the *Petition* by reference into these Comments.

As Galaxy demonstrated in the Petition, the proposal will result in a preferential arrangement of allotments by providing Granby with its first local aural transmission service. *Revision of FM Assignment Policies and Procedures*, 90 FCC2nd 88 (1982). In addition, the new allotment will be mutually exclusive with the old allotment and the relocation will virtually eliminate a current international short-spacing to a first adjacent channel allocation at Kingston, Ontario on Channel 289A.

As the Branch explains in the NPRM, the proposed reallocation will result in a net gain in overall service to at least 132,516 persons in an area of at least 746 square kilometers.² No gray or white areas will be created, the reallocation will not deprive Oswego of its sole transmission outlet and WTKV's current service area will continue to be well-served. *See* NPRM at ¶ 3; *see also LaGrange and Rollingwood, Texas*, 10 FCC Rcd 3337 (1995) (finding a community "well-served" if it receives at least five aural services). Moreover, as the Branch points out in the NPRM, the proposed reallocation will eliminate a small under-served area of 437 persons presently receiving only four full-time services.

Thus, as both the Petition and the Branch's NPRM make clear, the reallocation of Channel 288A from Oswego to Granby will result in numerous public interest benefits. For these reasons, it is respectfully requested that the Commission amend 47 C.F.R. § 73.202(b) by allotting Channel 288A to Granby as set forth below:

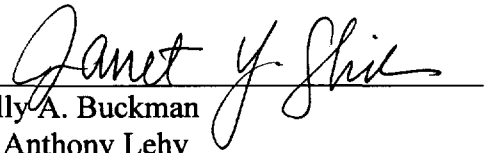
² The Commission's engineering staff found that the reallocation would result in a gain of service to 134,746 people covering 849 square kilometers, representing a net gain of 132,516 people over 746 square kilometers. In the Petition, Galaxy demonstrated that the proposed reallocation would result in a gain of 145,441 persons served over 929.7 square kilometers. Under either set of numbers, there will be significant gains in population and area served, with minimal losses.

Channel Numbers

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Oswego, New York	244A, 288A	244A
Granby, New York	--	288A

Respectfully Submitted,

GALAXY COMMUNICATIONS, L.P.

By: 
Sally A. Buckman
H. Anthony Lehv
Janet Y. Shih

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Dated: November 6, 2000